



JEROME A. PRINCE
Mayor
CITY OF GARY

ERIC BORIA
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ZONING DEPARTMENT
CITY OF GARY
401 BROADWAY, SUITE 303
GARY, INDIANA 46402

CITY OF GARY- PLAN COMMISSION MINUTES
Thursday, May 19, 2022
3:00 P.M. CT

Attendees:

PC members: Councilwoman Tai A. Adkins, President Taryl Bonds, Bill Cook, Lloyd Fisher, Alan Harrell, Willie Miller, Deputy Mayor Trent McCain, David Shilling

Staff: Eric Boria, Zoning Administrator, Carla McVea, Zoning Coordinator, Paula Beeks, Redevelopment

Paula called the meeting to order and conducted roll call, present were:

Commissioner Tai A. Adkins
Commissioner Taryl Bonds
Commissioner Bill Cook
Commissioner Lloyd Fisher
Commissioner Alan Harrell
Commissioner Willie Miller
Commissioner Trent McCain
Commissioner David Shilling

Agenda

Motion to approve the PC Agenda: Commissioner Bonds

2nd: Commissioner McCain

Result of vote: motion carries 8-0

| Member | Comm. Adkins | Comm. Bonds | Comm. Cook | Comm. Fisher | Comm. Harrell | Comm. Miller | Comm. McCain | Comm. Shilling |
|--------|-----------------|----------------|---------------|-----------------|------------------|-----------------|-----------------|-------------------|
| Vote | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |

Minutes

Motion to approve the PC Minutes: Commissioner Bonds

2nd: Commissioner McCain

Result of vote: motion carries 8-0

| Member | Comm. Adkins | Comm. Bonds | Comm. Cook | Comm. Fisher | Comm. Harrell | Comm. Miller | Comm. McCain | Comm. Shilling |
|--------|-----------------|----------------|---------------|-----------------|------------------|-----------------|-----------------|-------------------|
| Vote | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |



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NEW BUSINESS

Motion to approve the **PC-22-02**: Commissioner McCain

2nd: Commissioner Adkins

Result of vote: motion carries 8-0

| Member | Comm. Adkins | Comm. Bonds | Comm. Cook | Comm. Fisher | Comm. Harrell | Comm. Miller | Comm. McCain | Comm. Shilling |
|--------|-----------------|----------------|---------------|-----------------|------------------|-----------------|-----------------|-------------------|
| Vote | Yes | Yes | Yes | Yes | Yes | Yes | Yes | Yes |

Commissioner Bonds asked for staff overview. Eric Boria provided a brief overview of the re-zone R2 to a PUD petition. Mr. Boria cited the zoning ordinance criteria for rezoning.

Tom Cera was not in attendance, but sent an email following the meeting that he would like to go on record in support of the petition.

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals

Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

Commissioner Bonds ask if there is anyone present to represent the petitioner.

There were three: Atty. Jim Wieser (on zoom), Mr. Nick George, architect, and owners of Djuric Trucking, Steven and Andrew Djuric.

Mr. Boria announces that Commissioner Vice-President Tom Cera joined the meeting via zoom.

Atty. Wieser makes his presentation by providing information related to the PSA outreach made to inform the surrounding community and financial investment that Djuric Trucking intends to make in the property, surrounding area and the City of Gary. Atty. Wieser states that Djuric Trucking will not be requesting TIFF or tax abatement funding, or any other incentives from the city.



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Mr. Nick George continues the presentation regarding the master plan, discussing site access and other details. Revisions were presented and discussed regarding truck access from 5th Avenue instead of Burr Street.

Mr. Steven Djuric provided a history of his father's company and employees information. Discussed the trucking fleet and environmental features citing the State of California standards for truck emissions. Mr. Nick George also spoke of a commitment to the City to support police, fire, and food drive activities. Neighborhood revitalization around the company site with the purchase and rehab of properties in the area to sell to employees

Commissioner Bonds asks for questions from fellow council persons. Commissioner Miller ask Mr. Djuric to elaborate on what they are doing currently in Hammond and how that will be specifically done in Gary? Requested examples. Mr. Djuric deferred to his father's reputation and future discussions. Mr. Boria reminded the meeting attendees that the purpose of the current discussion was related solely to the five criteria outlined by the State. Commissioner Bonds reiterated Mr. Boria's remarks and stated that future discussions regarding investment in the City would be expected and continue if the petition is successful.

Commissioner Adkins raised questions about IC 36-7-4-603 (4) and (5) related to ensuring that the proposal meets the criteria citing increased truck traffic in a residential area, and what factors or parameters would the council use to address those issues? The second question; Is it the Cities responsibility to access or determine the best development for the location? Mr. Boria addressed the property values stating that he does not have current property value data, and confirmed that responsible growth is determined by the City.

Commissioner Adkins asked Commissioner Bonds if he could speak to the number of petitions received and how many were in support and opposition. Mr. Boria spoke to the opposition which was initially received concerning the Ivanhoe petition and not the Emerson property. Mr. Boria acknowledged that Atty. Rodney Cole was present in the meeting and asked if he would speak on this subject relating the five criteria. Atty. Cole reiterated the State criteria and stated that the Commission would vote according the state statue of favorable, unfavorable or no recommendation.

Mr. Boria confirmed that 195 petitions were sent out and 1 response was received in opposition at the time of the February meeting.



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Commissioner Bonds recognizes Councilwoman Adkins and Councilman Weatherspoon from the second district present in the meeting and Councilman Dwight Williams and via Zoom.

Commissioner Miller made a statement to clarify earlier comments deferred maintenance and workforce related to the five criteria.

Public Comment

Commissioner Bonds opens the public comment period

Ten (10) meeting attendees spoke and six (6) attendees spoke via Zoom. Concerns raised included environmental, illegal dumping, property values and road conditions. Most concerns were related to the abandoned property that has been sitting for years while people continue to dump and overgrown weeds. Other comments were related to the trucking industry and the type of unwanted development that they attract. After Zoom comments Mr. Boria asked if there were any more comments.

Commissioner Bonds closes the public comment period. Commissioner Bonds stated that staff recommendation had already been given and asked if the Commissioners had questions about the recommendation. Commissioner Adkins requests clarification on the recommendation. Mr. Boria explains the favorable recommendation based on the five criteria and the submitted revision. Commissioner Adkins asks for explanation related to the truck routes. Mr. Boria states that the favorable recommendation is based on the new truck routes. Commissioner Miller asked if the favorable recommendation with conditions would include the revised master plan change in the truck access from Burr Street to 5th Avenue. Commissioner Miller asked how the wording of the statement would be incorporated. Commissioner Adkins asked Djuric representative to explain the new access from 5th Avenue, Petitioner's representative stated that contact would be made with INDOT request permissions and if they refuse, then the City would need to incorporate Burr Street in the truck route. Commissioner Adkins asks if Commissioner Shilling could provide explanation regarding the new road access. Commissioner Schilling explains that if they do not get approval from INDOT they would need to come back and change the truck route. Commissioner Adkins asked if the company needs their consent, how would the company go about getting the approval from INDOT. The company representative from Djuric would consult with engineers for the plan and work to meet INDOT compliance and city requirements. Mr. Boria explains the process for approval; PUD, Council reading, rezone, developmental process. The two steps; 1. can you fit what you want in this plan, 2. any site plan review must be done at the level of Plan Commission. If no permit from INOT, then petition must come before



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Plan Commission, for side route on Burr for change in truck route. Can be done at the site plan review process.

Listed below are those in support of the petition and those opposed.

Support Petition

1. Councilman Weatherspoon – 617 Burr St.
2. Darryle Redmand – 635 Polk St
3. Bernard Congress - 529 Mathews St. (Djuric employee)
4. Lifelong resident could not here name -7th Hanley St
5. Ben and a female Sanchez - 338 Gerry Street
6. Willie Barnes – 5200 W. 4th Avenue
7. Kent _____ - 7580 Mount St. (Djuric employee)
8. Dwayne _____ - 575 Jerry St. (police office)
9. Kim Blackmon – 570 Jerry St.
10. Dwayne Seleck - _____
11. Curtis Ward – 5237 W. 3rd Pl
12. Lorenzo Davis – 6101 W. 7th Ave

Oppose Petition

1. Bianca Hall – 544 Dallas St.
2. Howard ____ - 1165 ____
3. Lynn ____ - 7726 Locust Ave
4. Natasha Hall – 5404 Dallas St.
5. Kimmie Jordon – 440 Miller Ave

Motion to adjourn: Commissioner McCain

2nd: Commissioner Adkins